IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

WP(C).No. 14798 of 2007(J)

(OP(MV).793/2004 of MOTOR ACCIDENT CLAIMS TRIBUNAL, TIRUR)

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PETITIONERS:

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1. NURUDHEEN,S/O.ABDURAHIMANKUTTY,
KUTTYCHEKKUVINTEPURAKKAL,
PUTHIYAKADAPPURAM,
RAYIRAMANGALAM AMSOM AND DESOM,
TIRUR TALUK,MALAPPURAM DISTRICT.

2. SAIFU,W/O.NURUDHEEN,
KUTTYCHEKKUVINTEPURAKKAL,
PUTHIYAKADAPPURAM,
RAYIRAMANGALAM AMSOM AND DESOM,
TIRUR TALUK,MALAPPURAM DISTRICT.

BY ADV. SRIC.M.MOHAMMED IQUABAL

RESPONDENTS:

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* 1. ABDUL NAZER,S/O.K.P.MOHAMMEDKUTTY,
PATATH HOUSE,P.O.VALIYA PARAMBA,
PULIKKAL,MALAPPURAM DISTRICT.

* 2. SUBRAMANYAN,S/O.KRISHNAN,
PAYYANATT HOUSE,P.O.NIRAMARUTHUR,
TIRUR TALUK,MALAPPURAM DISTRICT.

3. THE ORIENTAL INSURANCE CO.LTD.,
THAZHEPPALAM,TIRUR,
MALAPPURAM DISTRICT.

* Respondents 1 and 2 are deleted from the party array as per order on I.A. No.6951/2007 dtd.8.6.2007.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX (WP(C) NO.14798 OF 2007)

PETITIONER'S EXHIBIT:

Ext.P1: Copy of the award dtd.6.2.2007 passed by the Court of the Motor Accident Claims Tribunal, Tirur.

-True Copy-

P.A.to Judge.

S.SIRI JAGAN, J.

W.P(C) NO. 14798 OF 2007 - J

Dated this the 8th day of June, 2007

J U D G M E N T

The petitioners are beneficiaries of the award of the Motor Accidents Claims Tribunal, Tirur in O.P.(MV) No.793/04. However, the Tribunal has restricted the payment of Rs.25,000/- each to the petitioners and directed to deposit the balance in a nationalised bank for a period of five years. Accordingly, certain amounts are lying in deposit as directed by the Tribunal. Now the first petitioner has got a job in Oman in which he is urgently in need of money for visa and air ticket. The petitioners therefore seek a direction to the Motor Accidents Claims Tribunal, Tirur to disburse the amount in deposit.

2. In the facts and circumstances of the case, I direct the Motor Accidents Claims Tribunal, Tirur to release the amount in deposit to the petitioners on production of a copy of this judgment.

The writ petition is disposed of with the above direction

S.SIRI JAGAN,
Judge

Mbs/